FEDERAL REGISTER

VOLUME 24 NUMBER 139

Washington, Friday, July 17, 1959

Title 3—THE PRESIDENT

Executive Order 10828

DESIGNATING THE AIRPORT BEING CONSTRUCTED IN THE COUNTIES OF FAIRFAX AND LOUDOUN IN THE STATE OF VIRGINIA AS THE DULLES INTERNATIONAL AIRPORT

WHEREAS there is now being constructed in the counties of Fairfax and Loudoun in the State of Virginia, pursuant to an act of Congress approved September 7, 1950 (Public Law 762; 64 Stat. 770), an international airport which will provide facilities for the District of Columbia and its vicinity; and

WHEREAS it is desirable that this airport be given an appropriate and significant name; and

WHEREAS the public service of John Foster Dulles, the renowned diplomat and statesman, was dedicated in large measure to the ideals of democracy and the cause of freedom and peace throughout the world; and

WHEREAS it is fitting that the international airport being built to serve our Nation's Capital should bear the name of this distinguished American whose memory is revered wherever men cherish democracy and freedom:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, I hereby designate the airport now being constructed in the counties of Fairfax and Loudoun in the State of Virginia, pursuant to the above-mentioned act of Congress, as the Dulles International Airport; and such airport shall hereafter be known and referred to by that name.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
July 15, 1959.

[F.R. Doc. 59-5941; Filed, July 16, 1959; 10:17 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Milk Order 27]

PART 927—MILK IN NEW YORK-NEW JERSEY MILK MARKETING AREA

Order Amending Order

§ 927.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the New York-New Jersey milk marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which af-

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FEDERAL REGISTER

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fect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1959.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued April 8, 1959, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued June 9, 1959. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1959, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the New York-New Jersey milk marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

Amend § 927.42 by deleting transportation differential rates set forth in Column B of the schedule therein and by substituting the following new rates in Column B:

A Freight zone	B Classes I-A, I-B and skim milk subject to the fluid skim differential
Miles:	*Cents per hundredweight*
1-10	+24.0
11-20	+22.8
21-25	+21.6
26-30	+21.6
31-40	+20.4
41-50	+19.2
51-60	+18.0
61-70	+16.8
71-75	+15.6
76-80	+15.6
81-90	+14.4
91-100	+13.2
101-110	+12.0
111-120	+10.8
121-125	+9.6
126-130	+9.6
131-140	+8.4
141-150	+7.2
151-160	+6.0
161-170	+4.8
171-175	+3.6
176-180	+3.6
181-190	+2.4
191-200	+1.2
201-210	+0.0
211-220	−1.2
221-225	−2.4
226-230	−2.4
231-240	−3.6
241-250	−4.8
251-260	−6.0
261-270	−7.2
271-275	−8.4
276-280	−8.4
281-290	−9.6
291-300	−10.8
301-310	−12.0
311-320	−13.2
321-325	−14.4
326-330	−14.4
331-340	−15.6
341-350	−16.8
351-360	−18.0
361-370	−19.2
371-375	−20.4
376-380	−20.4
381-390	−21.6
391-400	−22.8
401 and over	−24.0

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Issued at Washington, D.C., this 14th day of July 1959, to be effective on and after the 1st day of August 1959.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-5898; Filed, July 16, 1959; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7437 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Fulton Tool Co. and Edwin E. Rothchild

Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1880 *Old, used, reclaimed, or reused as unused or new.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Edwin E. Rothchild trading as Fulton Tool Company, Brooklyn, N.Y., Docket 7437, June 13, 1959]

In the Matter of Edwin E. Rothchild, an Individual Trading as Fulton Tool Company

This proceeding was heard by a hearing examiner on the complaint of the Commission charging an individual in Brooklyn, N.Y., with selling to distributors and dealers for resale to the public without disclosure of their secondhand nature, used files which he purchased and reconditioned so that they appeared to be new.

Based on an agreement for consent order, the hearing examiner made his initial decision and order to cease and desist which became on June 13 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent Edwin E. Rothchild, an individual, trading as Fulton Tool Company, or under any other name, and respondent's agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of reconditioned second hand or used files, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Selling or distributing such files without clearly and conspicuously marking them with the words "reconditioned" or "rebuilt" or some other word or words of similar import, in such a manner that such markings cannot be readily obliterated.

2. Representing in any manner that such files are new.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: June 1, 1959.

By the Commission.

ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-5886; Filed, July 16, 1959; 8:46 a.m.]

PART 303—RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

Correction

In F.R. Document 59-4346, appearing in the issue for Tuesday, June 2, 1959, at page 4480 make the following changes in § 303.7(l):

1. The heading *"Vinyl"* should read *"Vinal"*.

2. In line 5, the formula should read "(-CH_2-CHOH-)".

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER B—AIRCRAFT

PART 822—USE OF AIR FORCE INSTALLATIONS BY OTHER THAN AIR FORCE AIRCRAFT

In Part 822, §§ 822.1 to 822.13 are deleted and the following substituted therefor:

Sec.
822.1 Purpose.
822.2 Definitions.
822.3 Conditions under which AF installations may be used.
822.4 Cooperating with customs, immigration, and health authorities.
822.5 Type and amounts of insurance required.
822.6 How to request permission for civil use of landing facilities.
822.7 How to request permission for foreign military use of landing facilities.
822.8 How to obtain clearance from foreign governments.
822.9 Aircraft demonstrations.
822.10 Who must execute AF Forms 180 and 181.
822.11 Who may approve landings of civil aircraft.
822.12 Who may approve landings of aero club aircraft.
822.13 How to apply for permission to use real property.
822.14 Fees for landing, parking, leasing, and storage.
822.15 Aviation fuels and oils.
822.16 Where AF Forms 180 and 181 may be obtained.
822.17 Reporting violations.

AUTHORITY: Sections 822.1 to 822.17 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply 49 U.S.C. 1507-1508.

SOURCE: AFR 55-20, February 26, 1959.

§ 822.1 Purpose.

This part establishes the responsibilities and describes the procedures for use of Air Force installations by other than Air Force aircraft under the authority of the Federal Aviation Act of 1958 (sections 1107 and 1108 (72 Stat. 798)).

§ 822.2 Definitions.

For the purpose of this part, certain terms are defined as follows:

(a) *Installation.* A separately located and officially defined area of real property in which the Air Force exercises a real property interest and which has been designated as an Air Force installation by Headquarters USAF; or where the Air Force has jurisdiction over real property agreement, expressed or implied with foreign governments, or by rights of occupation.

(b) *Civil airport.* A nonmilitary airport, the operation of which is not under exclusive operational control of the Air Force.

(c) *Regular airport.* An airport used as a regularly scheduled stop by certified air carriers.

(d) *Provisional airport.* An airport approved for the purpose of providing adequate service to a community when, because of repair, construction or the performance of other work, the regular

airport serving that community is not available for an extended period. (Planes may be dispatched.)

(e) *Alternate airport.* An airport specified in the flight plan, to which an aircraft may proceed when a landing at the point of first intended landing becomes impractical. (Planes may not be dispatched.)

(f) *Civil aircraft.* Aircraft (domestic or foreign) operated by private individuals or corporations of any national registry and foreign government-owned commercial aircraft in other than military or government operations.

(g) *Military aircraft.* Aircraft operated by the military agencies of any government.

(h) *Contract aircraft.* Civil aircraft operated under contract to any department of the U.S. Government and under operational control of that department.

(i) *Charter aircraft.* Civil aircraft operated under agreement with any department of the U.S. Government. The agreement for single or multiple trips may be either oral or written. Charter aircraft may or may not be under the operational control of the Government department consummating the agreement.

(j) *Government aircraft.* Aircraft owned or operated by any government, when not used as military or commercial aircraft.

(k) *Authorized supplier.* A commercial petroleum company doing business in the United States or Territories which has an agreement with the Air Force to guarantee payment for aircraft fuel and oil furnished by the Air Force to civil aircraft authorized to use Air Force bases.

(l) *Surety bond.* A bond, satisfactory to the U.S. Government contracting officer, guaranteeing payment for emergency maintenance, supplies, and services (except petroleum products).

(m) *User.* An individual, corporation, or company, named in AF Form 180, Hold Harmless Agreement, AF Form 181, Aircraft Permit, and the "Certificate of Insurance."

§ 822.3 Conditions under which AF installations may be used.

Air Force installations are established to support the operation of aircraft of the USAF. AF facilities, personnel, and material are maintained only to the extent required for use by the AF. However, nothing in this part will be interpreted to prohibit any aircraft from landing at any AF installation in case of emergency.

(a) Aircraft other than those belonging to the U.S. Government may use AF installations, if necessary, provided that:

(1) They do not interfere with military requirements, and the security of AF operations, facilities, or equipment is not compromised.

(2) No adequate civil airport is available. (Exception to this provision may be made when the aircraft is operated in connection with official Government business.)

(3) Pilots comply with regulations promulgated by Hq USAF and the commander of the installation.

(4) Civil aircraft users assume the risk in accordance with the provisions of AF Form 180.

(b) When a specific agreement authorized by Hq USAF, provides for joint civil and military use of an AF installation, the terms of that agreement will take precedence over the provisions of this part.

(c) For diplomatic agreements and clearances (overseas), the provisions of this part are subject to the provisions of diplomatic agreements and service-to-service arrangements will govern. This part will be used as a guide in negotiating agreements, at the local level, with representatives of a foreign military service concerning the use of AF installations by other than AF aircraft. Approval will be obtained from the Director of Operations, Hq USAF, for proposed terms which are in conflict with this part.

(d) Aircraft being produced for the AF under contract may use AF installations for testing and experimental purposes, if the contract so provides. The user will be required to execute AF Form 180 and furnish certificate of insurance as provided in this part.

(e) Contract and charter carriers may use AF installations when the carriers are identified by a certificate issued by the appropriate Government contracting agency. The user will be required to execute AF Forms 180 and 181, and furnish a certificate of insurance in accordance with this part.

§ 822.4 Cooperating with customs, immigration, and health authorities.

In connection with the arrival and departure of aircraft, commanders of AF installations will cooperate with local customs, immigration, health, and other public authorities. Mutually acceptable procedures will be made standard at the installation concerned, and clearance for takeoff will not be issued until all requirements have been met. The user of an installation will be responsible for:

(a) Complying with laws and regulations administered by the public authorities;

(b) Paying fees, charges for overtime services, and all other costs arising out of the administration of those laws.

§ 822.5 Types and amounts of insurance required.

To use AF installations, owners or operators of all aircraft, except those listed in § 822.14(a) (1), (2), (3), (4), and (10) must keep in force aircraft liability insurance at their own expense. Policies will be carried with a company or companies authorized by law to write the coverage required in paragraphs (a) through (e) of this section. In lieu of this insurance, proof of qualification as a self-insurer may be submitted to the Director of Operations, Hq USAF, for approval.

(a) Privately-owned commercially-operated aircraft used for cargo carrying only, aircraft produced under contract, and aircraft being ferried, will be insured for:

(1) Public bodily injury liability—A minimum of $50,000 for each person in any one accident with a minimum of $500,000 for any one accident;

(2) Public property damage liability—A minimum of $500,000 for each accident.

(b) Privately-owned commercially-operated aircraft used for carrying passengers or both passengers and cargo, in addition to the amounts required in paragraph (a) of this section will be insured for: Passenger bodily injury liability with a minimum limit of $50,000 for each passenger, and subject to that limit for each passenger, a minimum limit for each accident in any one aircraft equal to the total amount produced by multiplying the $50,000 limit stipulated for each passenger by a full number not less than 75 percent of the total number of seats in the aircraft or 75 percent of the total number of passengers carried, whichever is greater. (Exclusive of crew.)

(c) Privately-owned noncommercial aircraft will be insured as required by paragraphs (a) and (b) of this section except that for aircraft of less than 12,500 pounds certified maximum gross takeoff weight, the minimum coverage will be:

(1) Public bodily injury liability—$200,000;

(2) Public property damage liability—$150,000 for each accident;

(3) Passenger bodily injury liability for each accident in any one aircraft—$50,000 times the maximum number of persons certified to be carried on board (including pilot and crew).

(d) All policies will provide specifically, by indorsement or otherwise:

(1) For waiver of any right of subrogation the insurance company may have against the United States by reason of any payment under the policy for damage or injury arising out of or in connection with the insured's use of any AF installation or his purchase of services or supplies from the AF.

(2) That the provisions will be in full force and effect within the country or countries where the AF bases to be used by the insured are located.

(3) That, notwithstanding any exclusion(s), the coverage applies to the liability assumed by the insured under AF Form 180.

(4) That, in the event of cancellation or material change in policy coverage, the insurer will give 30 days prior written notice to: Hq USAF (AFOOP), Washington 25, D.C.

(e) Each applicant will furnish a Certificate of Insurance (in lieu of the insurance policy) executed by the insurer. It must contain the following data:

(1) Date of issue.

(2) Name and address of insurer.

(3) Name and address of insured ("User," see § 822.2(m)).

(4) Policy number(s).

(5) Effective dates: from _____ to _____.

(6) Limits of liability:

(i) Public bodily injury liability (excluding passenger), with limits for each person and each accident,

(ii) Public property damage liability for each accident,

(iii) Passenger bodily injury liability, with limits for each passenger and each accident.

(7) List of aircraft, or a statement that all aircraft owned and/or operated by the insured are covered by the policy.

(8) Waiver of right or subrogation against the United States.

(9) Geographical limits (State and/or country) within which the policy applies.

(10) Waiver of exclusion clauses.

(11) Thirty days prior written notice agreement before the insurance can be canceled.

(12) Name of insurer and signature of office or authorized representative.

§ 822.6 How to request permission for civil use of landing facilities.

(a) Requests to use one AF installation for a one-time landing, for both official or unofficial business or for repeated landings on official Government business, may be made to the commander of the installation concerned.

(b) Requests to use more than one installation on official Government business and/or for repeated landings at one or more installations not in connection with official Government business, will be made to the Director of Operations, Hq USAF.

(c) Request to use an active AF installation overseas may be submitted either to the Director of Operations, Hq USAF, the installation commander, or to the appropriate USAF air attache. (See § 822.11.)

(d) All requests to use inactive installations will be sent direct to the Director of Operations, Hq USAF.

(e) Each request will be made by letter and will be accompanied with one copy of a current certificate of insurance (§ 822.5(e)), two copies of a completed AF Form 180, and four copies of AF Form 181 (only two copies if for a one-time landing approved by the base commander). The AF Form 181 will show:

(1) Name and location of AF installations and facilities to be used.

(2) Type of operation (tourist, survey, charter, revenue, nonrevenue, or other) and whether the facility is to be used as a regular, provisional, or alternate airport as defined in § 822.2.

(3) Details of proposed flights, including dates, purpose, routes, number, and frequency. If official Government business is indicated, detailed justification must be provided.

(4) Name and address of user and of registered owner of aircraft. (See § 822.2.)

(5) Country of registry, name of manufacturer, and type of aircraft.

(6) Model, serial number, registry number, identification mark of aircraft.

(7) Date of issue of FAA or other aeronautical authority aircraft airworthiness certificate.

(8) Passenger capacity. (For aircraft under 12,500 pounds, the capacity means the total number of persons on board including pilot and crew. For aircraft 12,500 pounds, or over, it means the number of passenger seats.)

(9) Maximum takeoff gross weight permitted by the appropriate aeronautical authority of the country of manufacture.

(10) Name and address of authorized supplier, and/or the company issuing surety bond. If none, so state. (See § 822.2 (k) and (l).)

(11) Typed name, title, and address, of individual or certified authorized company representative, and his signature.

(f) In lieu of paying cash for aviation fuels and oils, the following will be furnished:

(1) A letter from the authorized supplier, who guarantees payment to the AF for all petroleum products furnished the applicant. The office that approves AF Form 181 will retain one copy of the letter, send one to the Director of Operations, Hq USAF, and another to: Middletown AMA, Olmsted AFB, Pa.

(2) If designated on AF Form 181, a letter from the United States contracting officer certifying to the validity and adequacy of a surety bond. (See § 822.2 (1).) This will substantiate the guarantee of payment to the AF for emergency maintenance, supplies, and services (except petroleum products) furnished to an applicant rendering services to the U.S. Government. The base commander who approves AF Form 181 will retain the contract officer's letter.

§ 822.7 How to request permission for foreign military use of landing facilities.

Foreign military aircraft, operated on official business, required to use AF installations for one-time or repeated landings in the United States and Canal Zone will be considered under the same conditions set forth in § 822.3(a) and §§ 805.1 to 805.13 of this chapter. Each request must be submitted in writing at least 10 days in advance to the Foreign Liaison Branch, Assistant Chief of Staff, Intelligence, Hq USAF, through the air attache of the country concerned, with concurrent request to the Secretary of State. Each request will include:

(a) Name(s) of Air Force installation(s) required to be used.

(b) Nationality of requester.

(c) Pilot's name and grade.

(d) Name of persons on board.

(e) Type and serial number(s) of aircraft.

(f) Itinerary.

(g) Accommodations, supplies, etc., required.

(h) Payment for fuel.

(i) (No) Distinguished Visitor(s) will be on board (no) honors desired.

(j) (No) Other nationalities on board.

Upon determination that the aircraft and personnel can be accomodated at the AF installation, a USAF Landing Authorization Number will be assigned by the Assistant Chief of Staff, Intelligence, Hq USAF. This number will be cited in all matters pertinent to the operation. (Exception to this procedure will be by direction of the Assistant Chief of Staff, Intelligence, and implemented by the Director of Operations, Hq USAF.)

§ 822.8 How to obtain clearance from foreign governments.

In accordance with other current AF directives, and FAA regulations governing the flights of aircraft, operators of both civil and military aircraft must obtain appropriate clearance before each flight or series of flights over foreign sovereign territories, including that in which the installation is located. They also must obtain concurrent approval from the United States Department of State or the appropriate United States diplomatic representative in the countries concerned. (See § 822.3(c).)

§ 822.9 Aircraft demonstrations.

This section applies to the various aircraft manufacturing corporations and companies.

(a) The manufacturers of aircraft may use AF installations in demonstrating and/or showing aircraft to military and civilian personnel of the Defense Establishment, the Federal Aviation Agency, members of Congress, and officials of the Executive Department, U.S. Government, when:

(1) It is determined to be in the best interest of the Government.

(2) The aircraft was produced in accordance with Government specifications either with or without the aid of Federal funds.

(3) There is a procurement interest on the part of the Government.

(4) Major air commanders express an interest and request a showing and/or demonstration.

(5) There is an expressed interest on the part of Government officials responsible for procurement, approval, or certification of the aircraft.

(b) Landing and parking fees will be waived when civil aircraft use AF installations in accordance with paragraph (a) of this section. Base commanders are authorized to approve such use, provided that the user complies with § 822.10.

§ 822.10 Who must execute AF Forms 180 and 181.

Each applicant for use of an AF installation, except those listed in § 822.14(a), (1), (2), (3), (4), and (10), will be required to execute AF Forms 180 and 181, and furnish a certificate of insurance, before approval for the use of an AF installation can be given. In case of unauthorized landings see § 822.11(c). (For production aircraft see § 822.3(d)).

(a) AF Form 180 must be filled out in duplicate. Once executed, it is valid indefinitely.

(b) AF Form 181 is to be filled out in quadruplicate, but it will not be approved and signed by the AF representative until AF Form 180 has been executed and a certificate of insurance presented which provides evidence of minimum insurance coverage required by this part. It will be validated for the period the use of the installation is required, or for the period of current insurance coverage, but in no event will it be approved to expire the day of or beyond the insurance termination. This permit, or a certified or photostatic copy thereof, must be carried in the aircraft at all times and shown to the appropriate base official upon landing.

§ 822.11 Who may approve landings of civil aircraft.

(a) Subject to the provisions of specific agreements, evidence of insurance coverage, and the execution of AF Forms 180 and 181, the commander of an active AF installation may approve or disapprove:

(1) All one-time landings by civil aircraft at his installation.

(2) Repeated landings by civil aircraft on official Government business at or in the immediate vicinity of the installation.

(b) Subject to the provisions of paragraph (a) of this section, as well as to prior approval of the installation commander, a USAF air attache may approve one-time landings by operators of civil aircraft at an oversea installation. After approval of the permit, the USAF air attache will send documents of the approved flight to the commander of the installation(s) concerned. Requests submitted to the USAF air attache for repeated landings will be forwarded to the Director of Operations, Hq USAF, together with data required by § 822.6.

(c) If a civil aircraft lands without prior authorization, the base commander will request the aircraft operator to execute AF Forms 180 and 181. Under these circumstances, the local commander may sign the Aircraft Permit (AF Form 181) on behalf of the AF, but a statement explaining why a landing without prior authorization was necessary must be included on the back of AF Form 181. (See § 822.17.)

(d) Where civil aircraft are permitted to use an installation, the installation will maintain appropriate records. These records will include copies of AF Forms 180 and 181 executed at the installation, together with insurance certificates provided by the user. When permits are approved for more than one landing in accordance with paragraph (a)(2) of this section, copies of all related documents will be forwarded through military channels to the Director of Operations, Hq USAF.

(e) When the AF does not have exclusive operational control over a landing area, the aircraft operator will obtain permission to land from the appropriate civil authority. In such a case, the provisions of this part do not apply and AF Forms 180 and 181 are not required.

§ 822.12 Who may approve landings of aero club aircraft.

Commanders of active AF installations may approve or disapprove landings by aircraft of Air Force Aero Clubs that are established and organized in accordance with current AF regulations. The same prerogative may be extended to Aero Club aircraft of other military services provided that the sponsoring club is organized as a sundry fund activity and operated as an instrumentality of the Federal Government. Such organizations are provided insurance coverage as outlined in §§ 836.161 to 836.165 of this chapter and AF Forms 180 and 181 are not required. Aero Clubs organized as private associations are not afforded this insurance and must comply with all provisions of this part as applicable to civilian aircraft.

§ 822.13 How to apply for permission to use real property.

If an applicant wishes to use real estate or real property at an AF installation, in connection with his landing permit, he must submit a separate request to the base commander.

§ 822.14 Fees for landing, parking, leasing, and storage.

(a) For the use of his facilities, the commander of an installation will collect fees from all users except:

(1) Military aircraft of the United States or foreign governments not engaged in commercial activities.

(2) Aircraft owned and operated by departments or agencies of the U.S. Government.

(3) Aircraft owned and operated for noncommercial purposes by agencies of foreign governments, except in cases where the foreign government charges fees for U.S. Government aircraft.

(4) Aircraft owned and operated by States, counties, or municipalities of the United States.

(5) Cargo or passenger aircraft under charter or contract to the U.S. Government, when identified by a certificate issued by the contracting agency.

(6) Aircraft under production by U.S. Government contract. (See § 822.3(c).)

(7) Aircraft owned and operated by military and auxiliary personnel (Civil Air Patrol, Air Force Reserve, Air National Guard, Air Force Reserve Officers' Training Corps), either retired or on active duty, unless the aircraft are used for commercial purposes.

(8) Private aircraft operated in connection with official Government business in the immediate vicinity of the installation.

(9) Aircraft used for training operators in the use of ground controlled approach or instrument landing system, etc.

(10) Aircraft operated by Air Force Aero Clubs established in accordance with the provisions of current AF regulations and Aero Clubs of other military services which are organized as sundry fund activities and operated as instrumentalities of the Federal Government.

(b) Landing and parking fees are based on frequency of operations and on the maximum gross takeoff weight which the appropriate aeronautical authority authorized for the aircraft. Consult the maximum gross takeoff weight tables approved by the FAA. They appear in the current aircraft operator's manual and on the airworthiness certificate issued by FAA. If the weight cannot be determined, estimate it from the best information available. Fees will be calculated on weights computed to the nearest 1,000 pounds.

(c) Fees to be charged at all active and inactive AF installations are as follows: (If an aircraft lands without prior authorization except in an emergency, the amount of the fee collected will be double the applicable fee, to take care of the special handling.)

(1) Landing fees within the continental United States:

	Weight of aircraft	Amount per landing
For first 90 landings per month, per user.	25,000 pounds or less	$2.50.
	Over 25,000 pounds	$2.50, plus 3½ cents per 1,000 pounds in excess of 25,000 pounds.
For next 90 landings per month, per user.	25,000 pounds or less	$1.66⅔.
	Over 25,000 pounds	$1.66⅔, plus 3½ cents per 1,000 pounds in excess of 25,000 pounds.
For landings after the first 180 per month, per user.	25,000 pounds or less	$0.83⅓.
	Over 25,000 pounds	$0.83⅓, plus 3½ cents per 1,000 pounds in excess of 25,000 pounds.

(2) Landing fees outside the continental United States normally will be the same as those at the nearest suitable civil airport within the same country; if the following rates are higher, however, they will be charged:

	Weight of aircraft	Amount per landing
For first 90 landings per month, per user.	10,000 pounds or less	$3.00.
	10,001 pounds to 25,000 pounds	$5.00.
	Over 25,000 pounds	$5.00 plus 15 cents per 1,000 pounds in excess of 25,000 pounds.
For next 90 landings per month, per user.	25,000 pounds or less	$4.00.
	Over 25,000 pounds	$4.00 plus 12 cents per 1,000 pounds in excess of 25,000 pounds.
For landings after the first 180 per month, per user.	25,000 pounds or less	$3.00.
	Over 25,000 pounds	$3.00 plus 10 cents per 1,000 pounds in excess of 25,000 pounds.

(3) Parking fees inside a hangar will be 20 cents per 1,000 pounds, minimum $3 per aircraft, for each 24-hour period or fraction thereof when parking is emergency, temporary, or intermittent and nonexclusive.

(4) Parking fees outside a hangar will be 10 cents per 1,000 pounds, minimum $1 per aircraft for each 24-hour period or fraction thereof; the charge to start 6 hours after the plane lands.

(5) The free storage of airplanes owned and operated, not for profit, by military personnel on active duty may be permitted when facilities are available and storage will not interfere with military operation.

(6) Fees for protracted use by lease of real property, building space, and so forth will be negotiated as provided by current AF directives.

§ 822.15 Aviation fuels and oils.

(a) Commanders may sell aviation fuels and oils:

(1) For cash or on credit to the operators of civil aircraft on official business with the U.S. Government at AF

installations in the continental United States and overseas. Credit sales will be made only upon presentation of an approved AF Form 181 which indicates an authorized supplier.

(2) To operators of aircraft (unless used for commercial purpose) owned or operated by agencies of the U.S. Government, States, Territories, or foreign governments for cash or credit in the continental United States and overseas.

(3) To operators of civil aircraft, private or commercial, provided that prior approval is obtained from Hq USAF.

(4) In an emergency, to the operators of any civil aircraft for cash or credit. An emergency supply of aviation fuels and oils will be furnished only to the extent required for the aircraft to reach the nearest commercial airport where the grade of fuel required is available. The amount furnished will be determined by the base commander, based on safe flight requirements.

(5) To Air Force Aero Clubs established in accordance with current AF directives, for cash only, at prices and under conditions outlined in current AF directives.

NOTE: Credit cards issued to aircraft operators by petroleum companies are NOT authorized credit credentials.

(b) Charges for aviation fuels and oils will be governed by the provisions of current AF directives.

(c) Where supplies and services are required, charges will be in accordance with current AF directives, or established rates that are not lower than local rates for similar supplies and services, except that civil aircraft operating under LOGAIR contracts may be furnished supplies and services at AF cost.

(d) Aircraft that become inoperable while at an AF installation may be stored temporarily at rates established in § 822.14. The base commander will assume no responsibility for such aircraft and will request the operator(s) to remove the aircraft from the installation as soon as it is operational.

(e) Emergency medical services may be furnished. Charges will be made in accordance with current AF directives.

§ 822.16 Where AF Forms 180 and 181 may be obtained.

AF Forms 180 and 181 may be obtained at the base or from: HQ USAF (AFOOP) Wash. 25, D.C.

§ 822.17 Reporting violations.

When a violation of this part occurs, the violator will be informed of the provisions of this part. Except under emergency conditions, the violations will be made the subject of a report:

(a) Within the continental United States, its Territories and Possessions to the District Office of the Federal Aviation Agency having jurisdiction over the area in which the violation occurs.

(b) In foreign areas, to the USAF air attache in the country in which the violation occurs, for any action considered appropriate.

[SEAL] CHARLES M. MCDERMOTT,
Colonel, U.S. Air Force, Deputy Director of Administrative Services.

[F.R. Doc. 59-5881; Filed, July 16, 1959; 8:45 a.m.]

Title 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

SUBCHAPTER F—ALASKA COMMERCIAL FISHERIES

PART 104—BRISTOL BAY AREA

Additional Fishing Time

Basis and purpose. The red salmon run in the Egegik district continues in sufficient strength so that an excellent escapement is now assured, and it has been determined that 12 hours of additional fishing time can be allowed to harvest fish in excess of spawning requirements.

Therefore, § 104.9, as amended July 13 and July 14, is further amended permitting fishing in the Egegik district from 9 p.m. Friday, July 17, to 9 a.m. Saturday, July 18, 1959.

Since immediate action is necessary, notice and public procedure on this amendment are not in the public interest, and it shall become effective immediately upon publication in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.).

(Sec. 1, 43 Stat. 464, as amended; 48 U.S.C. 221)

Dated: July 16, 1959.

A. W. ANDERSON,
Acting Director, Bureau of Commercial Fisheries.

[F.R. Doc. 59-5962; Filed, July 16, 1959; 11:23 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1898]

[1960848]

IDAHO

Revoking Public Land Order No. 172 of September 27, 1943, Which Withdrew Lands for Use of War Department as Precision Bombing Ranges

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 172 of September 27, 1943, which withdrew the public lands in the following-described areas for use of the War Department as precision bombing ranges, is hereby revoked:

BOISE MERIDIAN

T. 6 S., R. 2 E.,
Secs. 26, 27, 34, and 35.
T. 6 S., R. 4 E.,
Secs. 34 and 35.
T. 7 S., R. 4 E.,
Secs. 2 and 3.
T. 9 S., R. 6 E.,
Secs. 15, 16, 21, and 22.

The areas described, including both public and non-public lands aggregate 7,672.20 acres.

2. The following-described lands, which are a portion of the lands described in paragraph 1, hereof, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended, and reserved under the jurisdiction of the Secretary of the Interior as a safety measure for the protection of the public.

T. 6 S., R. 2 E.,
Sec. 34.
T. 7 S., R. 4 E.,
Sec. 3, S½.

The areas described aggregate 960 acres.

The lands described in paragraph 2 of this order have been contaminated by unexploded ordnance. They have been certified for, and may be subject to any use under the public land laws which does not contemplate invasion of the subsurface, and which is consistent with the withdrawal made by Paragraph 2.

3. Until 10:00 a.m. on January 13, 1960, the State of Idaho shall have a preferred right of application to select the released lands or any part thereof, in accordance with and subject to the exceptions in, and to the requirements of section 2276(c) of the Revised Statutes (26 Stat. 796; 72 Stat. 928; 43 U.S.C. 852) as amended.

4. Other applications under the nonmineral public land laws may be presented to the Manager named below, beginning on the date of this order.

5. Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

6. All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284) as amended, presented prior to 10:00 a.m. on August 18, 1959, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a.m. on November 17, 1959, will be governed by the time of filing.

7. All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs 5 and 6 above, presented prior to 10:00 a.m. November 17, 1959, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

8. Veterans and others claiming preference rights, other than the State of Idaho, should submit with their applications supporting evidence of entitlement.

9. The released lands shall be open to locations under the United States mining laws, and to applications and offers under the mineral leasing laws, at 10:00 a.m. on January 13, 1960.

10. Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 13, 1959.

[F.R. Doc. 59-5887; Filed, July 16, 1959; 8:46 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 949]

[Docket No. AO-232-A8]

MILK IN SAN ANTONIO, TEXAS, MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Saint Anthony Hotel, San Antonio, Texas, beginning at 10:00 a.m., c.s.t., on July 22, 1959, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the San Antonio, Texas, marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order. Proposed amendments relating to the definition of "pool plant" and the revision of the rate of compensatory payments necessarily involve consideration of location differentials.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the Producers Association of San Antonio:

Proposal No. 1. Amend § 949.9 in such a way as to make a cooperative association a handler, with respect to milk from any producer who diverts it to a nonpool plant, or which it causes to be delivered directly from the farm bulk tanks and picked up by trucks owned and/or operated by subject association.

Proposal No. 2. Amend § 949.42, concerning shrinkage provision of the order, so that the effect will be to divide shrinkage between the buyer and seller handlers, with the limitation of two percent.

Proposal No. 3. Amend § 949.52(b) so as to delete therefrom "through July 1959".

Proposal No. 4. Amend § 949.65 so as to provide uniform payments upon a twelve months' basis.

Proposal No. 5. Amend § 949.53(a) so as to change the figure of $0.125 to the figure of $0.108.

Proposal No. 6. Amend § 949.80(c) so as to change the dates of payment to a cooperative association from "on or before the 26th and 13th days of each month" to "on or before the 20th and 11th days of each month".

Proposal No. 7. Amend § 949.22(j)(3) so that the uniform price will be announced by the tenth of each month.

Proposal No. 8. Amend § 949.30 so that the handlers report by the fifth of the month, instead of the seventh of each month.

Proposal No. 9. Make necessary changes in §§ 949.6 and 949.7 to conform with the proposed § 949.9.

Proposal No. 10. Review § 949.60 for the purpose of determining (a) whether the Secretary's determination that a handler disposes a greater portion of his Class I milk in another marketing area or in the San Antonio area can or should be retroactive and for how long, and (b) whether the computation in § 949.60(b) shall include milk from producers as well as from other sources in determining the obligation to the producers settlement fund of Order No. 49 for a handler who has been determined as disposing a greater part of his Class I milk under another Federal order.

Proposed by Oak Farms Dairies:

Proposal No. 11. Amend § 949.60 by deleting § 949.60(b).

Proposed by Producers Creamery Company:

Proposal No. 12. Amend § 949.7 by deleting the proviso and substituting in lieu thereof, the following: "*Provided:* That a pool plant shall include any plant approved by the appropriate health authority to supply milk for distribution as Grade A milk in the marketing area. If such plant is operated by a cooperative association and 75 percent or more of the producer milk of such association is received during the months at pool plants of other handlers, or if 75 percent of the producer milk of such association is transferred for Class I use to the pool plants of other handlers during the months of July through February, then such plant shall be considered to be a pool plant for the succeeding period of March through June."

Proposed by Foremost Dairies, Incorporated:

Proposal No. 13. Amend § 949.41 to classify sour cream as a Class II product.

Proposed by The Borden Company, Southern Division:

Proposal No. 14. Amend § 949.12 in such a way as to provide that products classified as Class II milk from any source, including those produced at the plant, be defined as other source milk when such products are reprocessed or converted into another product during the month.

Proposal No. 15. Amend § 949.41 to provide that frozen storage cream be classified as Class II.

Proposed by Knowlton's Creamery:

Proposal No. 16. Amend § 949.41 to provide that all Grade A milk products be classified as Class I and that all ungraded products be classified as Class II, Grade A and ungraded to be in accordance with local and state health department regulations.

Proposal No. 17. Amend § 949.46 to provide that solids used to fortify skim milk should be accounted for on the pounds of added solids rather than being converted to skim milk equivalent.

Proposed by the Dairy Division, Agricultural Marketing Service:

Proposal No. 18. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 1204 North Main Avenue, San Antonio, Texas, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Issued at Washington, D.C., this 13th day of July 1959.

ROY W. LENNARTSON,
Deputy Administrator.

[F.R. Doc. 59-5892; Filed, July 16, 1959; 8:47 a.m.]

DEPARTMENT OF LABOR

[29 CFR Part 8]

SAFETY AND HEALTH REGULATIONS FOR SHIP REPAIRING

Notice of Hearings on Proposed Safety and Health Regulations for Ship Repairing

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003), and under the authority of 72 Stat. 835 which recently amended section 41 of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1444, 33 U.S.C. 941), notice is hereby

given that the Secretary of Labor proposes to implement the said amendment to the Longshoremen's and Harbor Workers' Compensation Act, as he is therein directed and authorized, by issuing safety and health regulations applicable to employments and places of employments in the ship repair industry.

In order that interested persons may have opportunity to participate in the rule making process, notice is also given that public hearings to receive the data, views and arguments of interested persons will be held before a duly assigned Hearing Examiner on August 17, 1959, beginning at 10 a.m. local time, in Room 600, U.S. Courthouse, 219 South Clark Street, Chicago, Illinois; on August 24, 1959, beginning at 10 a.m. local time, in Room 503, Federal Building, 600 South Street, New Orleans, Louisiana; on August 31, 1959, beginning at 10 a.m. local time, in Room 1152, Appraisers Building, 630 Sansome Street, San Francisco, California; and on September 8, 1959, beginning at 10 a.m. local time, in Room 4500, General Post Office, 8th Avenue and 33d Street, New York, New York.

The basis and purpose of the proposed regulations are, as set out in 72 Stat. 835, to require that "Every employer shall furnish and maintain employment and places of employment which shall be reasonably safe for his employees in all employments covered by this Act and shall install, furnish, maintain, and use, such devices and safeguards with particular reference to equipment used by and working conditions established by such employers as the Secretary may determine by regulation or order to be reasonably necessary to protect the life, health, and safety of such employees, and to render safe such employment and places of employment, and to prevent injury to his employees."

The subjects and issues involved in the proposed regulations and concerning which data, views, and arguments are invited for presentation at the hearings herein noticed, are the appropriateness of proposed standards governing:

1. The safeguarding of places of employment wherein hazardous conditions arising out of explosive and dangerous atmospheres are likely to exist, including atmospheric tests as well as precautions and corrective measures to insure the safety of employees entering or working in such atmospheres;

2. The use of chemicals, toxic cleaning solvents, mechanical methods involving use of tools and implements for preparation of surfaces (degreasing, cleaning and paint stripping), application of paints and tank coatings with volatile, toxic or flammable solvents, use of personal protective equipment, maintenance of atmospheres below explosive limits, and the use of explosion-proof equipment and other safeguards;

3. The safe use and treatment of compressed gas cylinders, fuel gas and oxygen hoses, insuring a safe working environment for arc welding, and oxyacetylene cutting and welding, including reduction of fire potential, the safe maintenance of tools, equipment, and other materials in such processes, electrical equipment cables and grounds, and handling of radioactive materials, protective respiratory equipment and ventilation for arc welding or oxyacetylene cutting and welding or gas cutting, welding or burning materials of toxic significance, inert-gas metal-arc welding, and use of radioactive sources in radiographic inspection of weldments or castings.

4. Construction and erection of scaffolds, staging and ladders, inspection, maintenance moving and alteration of scaffolds and staging, guarding of deck openings, safe access to ships afloat or in dry dock, and specifications for gangways and their rigging.

5. Safe and healthful working conditions, including housekeeping, illumination, safeguards for the supply of steam and electrical power to vessels, safety of employees working in confined spaces, exposure to radiation from radar equipment, health, sanitation, and first-aid facilities;

6. Inspection, care, maintenance, safe use and safe working loads of materials handling equipment and component parts, operation and supervision of ships' gear for hoisting aboard, and qualifications for such operators.

7. Maintenance care and guarding of power tools, tools and component parts, and personal protective equipment for use therewith.

8. Specifications for required personal protective equipment, the care and maintenance, and its use, and limitations.

9. Gas freeing, inerting and testing for control of gas hazards on vessels to be prepared, establishing threshold limit values for the control of health hazards in atmospheres containing gases and vapors, toxic dusts, fumes, mists, and mineral dusts.

Any interested person desiring to participate in such hearings shall file a notice of intention with the Secretary of Labor, U.S. Department of Labor, 14th Street and Constitution Avenue NW., Washington, D.C., not later than ten days before the scheduled date of the particular hearing in which he proposes to participate. The notice of intention shall state the name and address of the person, specify his interest, whether he wishes to present his data, views and arguments orally or in writing, and if orally the amount of time he requires for such purpose, and the identification of counsel or other representative if the oral presentation is not to be made in person. Written material which is supplemental to an oral presentation must be filed in quadruplicate with the Hearing Examiner at the time of presentation.

Interested persons, in lieu of personal appearance, may submit written data, views and arguments in quadruplicate to the Secretary of Labor at the aforementioned address, not later than five days before the scheduled date of the particular hearing for which submitted. Such written submissions, timely received, will be transmitted to the Hearing Examiner for incorporation into the record of such hearing.

The hearings shall be reported, and transcripts will be available to any interested person on such terms as the Hearing Examiner may provide. The Hearing Examiner shall regulate the course of the hearings, dispose of procedural requests, objections and comparable matter, and confine the hearings to matters pertinent to the notice subjects and issues. He shall have discretion to keep the record open for a reasonable stated time after each hearing to receive written proposals and supporting reasons, or additional data, views and arguments from persons who have participated.

Upon completion of the hearings, the transcript of each hearing, exhibits, written submissions and all posthearing proposals and supporting reasons shall be certified by the Hearing Examiner to the Secretary of Labor. The Secretary of Labor will give careful consideration to all relevant matter thus presented to him, together with such other information that may be available to him and will thereafter issue appropriate regulations by publication thereof in the FEDERAL REGISTER to be effective not earlier than 30 days after the date of such publication.

The proposed regulations in this matter are filed with the FEDERAL REGISTER as part of this document and are available to any interested person and will be furnished without charge on written request addressed to the Secretary of Labor, U.S. Department of Labor, 14th Street and Constitution Avenue NW., Washington 25, D.C.

Signed at Washington, D.C., this 13th day of July 1959.

JAMES P. MITCHELL,
Secretary of Labor.

[F.R. Doc. 59-5893; Filed, July 16, 1959; 8:47 a.m.]

NOTICES

ATOMIC ENERGY COMMISSION

[Docket No. 50-132]

AMF ATOMICS

Notice of Filing of Application for Facility Export License

Please take notice that AMF Atomics, a Division of American Machine and Foundry Company, 140 Greenwich Avenue, Greenwich, Connecticut, has submitted an application dated June 9, 1959, for a license to export a one (1) megawatt (thermal) pool-type research reactor to the Turkish Atomic Energy Commission, Istanbul, Turkey.

Pursuant to section 104 of the Atomic Energy Act of 1954 and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities", and upon findings that (a) the reactor pro-

posed to be exported is a utilization facility as defined in said Act and regulations, and (b) the issuance of a license for the export thereof is within the scope of and is consistent with the terms of an agreement for cooperation with the Government of the Turkish Republic, the Commission may issue a facility export license authorizing the export of the reactor to Istanbul, Turkey.

In its review of applications solely to authorize the export of production or utilization facilities, the Commission does not evaluate the health and safety characteristics of the subject reactor.

In accordance with the procedures set forth in the Commission's rules of practice (10 CFR Part 2) a petition for leave to intervene in these proceedings must be served upon the parties and filed with the Atomic Energy Commission within 30 days after the filing of this notice with the Federal Register Division.

A copy of the application is on file in the AEC Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 10th day of July 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 59-5877; Filed, July 16, 1959; 8:45 a.m.]

[Docket No. 50-6]

BATTELLE MEMORIAL INSTITUTE

Notice of Amendment to Facility License No. R-4

Please take notice that the Atomic Energy Commission has issued to Battelle Memorial Institute, Amendment No. 4, set forth below, to Facility License No. R-4, as requested by an application dated May 18, 1959. The amendment (1) increases the allocation of special nuclear material required for operation of the reactor to 14.320 kilograms of contained uranium-235, (2) increases the total amount of contained uranium-235 which may be received, possessed and used under the license, and (3) revises the schedule of receipts and transfers of uranium-235.

The Commission has found that the licensee is financially qualified to assume responsibility for the payment of Commission charges for the special nuclear material to be furnished by the Commission and to undertake and carry out the proposed use of such material for a reasonable period of time. It has found, further, that the issuance of the amendment is not inimical to the common defense and security.

In accordance with the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within 30 days after the issuance of the license amendment. For further details see the application for license amendment submitted by Battelle Memorial Institute on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 10th day of July 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[License No. R-4, Amdt. No. 4]

Paragraphs 2.b.(1) and 5. together with Appendix "A" of Facility License No. R-4 are hereby amended to read as follows:

2.b.(1) 14.320 kilograms of contained uranium-235 in fuel element assemblies as fuel for operation of the facility;

5. Pursuant to § 50.60 of the regulations in Title 10, Chapter 1, CFR, Part 50, the Commission has allocated to Battelle Memorial Institute for use in the operation of the reactor, 14.320 kilograms of uranium 235 contained in uranium in the isotopic ratio specified in Battelle Memorial Institute's application. Estimated schedules of special nuclear material transfers to Battelle Memorial Institute and returns to the Commission are contained in Appendix "A" which is attached hereto. Shipments by the Commission to Battelle Memorial Institute in accordance with column (2) in Appendix "A" will be conditioned upon Battelle Memorial Institute's return to the Commission of material substantially in accordance with column (3) of Appendix "A".

APPENDIX A

Estimated Schedule of Transfers of Special Nuclear Material From the Commission to Battelle and to the Commission From Battelle

(1) Date of transfer (fiscal year)	(2) Transfers from AEC to Battelle, kgs U-235	(3) Returns by Battelle to AEC, kgs U-235		(4) Net yearly distribution including cumulative losses, kgs U-235	(5) Cumulative distribution including cumulative losses, kgs U-235
		Recoverable cold scrap	Spent hot fuel		
1956	10.083			10.083	10.083
1957		4.280		(4.280)	5.803
1958	0.002			0.002	5.805
1959	5.039	0.199		4.840	10.645
1960	5.054		4.757	0.297	10.942
1961	5.054		4.491	0.565	11.505
1962	5.054		4.491	0.563	12.068
1963	5.054		4.491	0.563	12.631
1964	5.054		4.491	0.563	13.194
1965	5.054		4.491	0.563	13.757
1966	5.054		4.491	0.563	14.320
			[1] 8.982	(8.982)	[2] 5.338
	50.502	4.479	40.685	[2] 5.338	

[1] Inventory to be returned.
[2] Fabrication and burnup losses.

This amendment is effective as of the date of issuance.

Date of issuance: July 10, 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 59-5878; Filed, July 16, 1959; 8:45 a.m.]

[Docket No. 50-128]

TEXAS AGRICULTURAL AND MECHANICAL COLLEGE SYSTEM

Notice of Proposed Issuance of Construction Permit

Please take notice that the Atomic Energy Commission proposes to issue to The Texas Agricultural and Mechanical College System, College Station, Texas, a construction permit substantially as set forth below unless within fifteen (15) days after the filing of this notice with the Federal Register Division a request for a formal hearing is filed with the Commission as provided by the Commission's rules of practice (10 CFR Part 2). For further details see (1) the application submitted by The Texas Agricultural and Mechanical College System and amendment thereto, and (2) a hazards analysis prepared by the Hazards Evaluation Branch, Division of Licensing and Regulation, both on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 10th day of July 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

PROPOSED CONSTRUCTION PERMIT

1. By application dated March 5, 1959, and amendment thereto dated April 14, 1959 (hereinafter together referred to as "the application"), The Texas Agricultural and Mechanical College System requested a Class 104 license, defined in § 50.21 of Part 50, "Licensing of Production and Utilization Facilities," Title 10, Chapter 1, CFR, authorizing construction and operation on a site near College Station, Texas, of a nuclear reactor (hereinafter referred to as "the facility").

2. The Atomic Energy Commission (hereinafter referred to as "the Commission") finds that:

A. The facility will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter 1, CFR, Part

50, "Licensing of Production and Utilization Facilities".

B. The facility will be used in the conduct of research and development activities of the types specified in section 31 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act").

C. The Texas Agricultural and Mechanical College System is financially qualified to construct and operate the facility in accordance with the regulations contained in Title 10, Chapter 1, CFR, to assume financial responsibility for the payment of Commission charges for special nuclear material, and to undertake and carry out the proposed use of such material for a reasonable period of time.

D. The Texas Agricultural and Mechanical College System is technically qualified to design and construct the facility.

E. The Texas Agricultural and Mechanical College System has submitted sufficient information to provide reasonable assurance that a facility of the general type proposed can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

F. The issuance of a construction permit to The Texas Agricultural and Mechanical College System will not be inimical to the common defense and security or to the health and safety of the public.

3. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities", the Commission hereby issues a construction permit to The Texas Agricultural and Mechanical College System to construct the facility in accordance with the application. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. The earliest completion date of the facility is December 1960. The latest date for completion of the facility is July 1961. The term "completion date" as used herein, means the date on which construction of the facility is completed except for the introduction of the fuel material.

B. The facility shall be constructed and located at the location near College Station, Texas, specified in the application.

C. The general type of facility authorized for construction is a 100-kilowatt open-pool type, light water moderated and cooled research reactor with a heterogeneous core, utilizing enriched uranium as fuel.

D. This permit is provisional to the extent that a license authorizing operation of the facility will not be issued by the Commission unless Texas Agricultural and Mechanical College System has submitted to the Commission (by proposed amendment of the application) additional data required to complete the hazards evaluation and the Commission has found that the final design provides reasonable assurance that the health and safety of the public will not be endangered by operation of the facility in accordance with the specified procedures.

4. Upon completion (as defined in subparagraph 3.A. above) of the construction of the facility in accordance with the terms and conditions of this permit, upon the filing of the additional information needed to bring the original application up to date, and upon finding that the facility authorized has been constructed and will operate in conformity with the application as amended and in conformity with the provisions of the Act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the Act, the Commission will issue a Class 104 license to The Texas Agricultural and Mechanical College System pursuant to section 104c of the Act, which license shall expire twenty (20) years after the date of this construction permit.

Date of issuance:

For the Atomic Energy Commission.

[F.R. Doc. 59-5879; Filed, July 16, 1959; 8:45 a.m.]

[Docket No. 50-34]

WESTINGHOUSE ELECTRIC CORP.

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 7 set forth below to License No. CX-6 authorizing Westinghouse Electric Corporation to perform "Loose Lattice Critical Experiments" as described in its application for amendment dated May 22, 1959, in its Westinghouse Reactor Evaluation Center CRX facility located near Waltz Mill in Westmoreland County, Pennsylvania. The Commission has found that conduct of the experiments in accordance with the terms and conditions of the license as amended will not present any undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has further found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since the conduct of the proposed experiments would not present any substantial change in the hazards to the health and safety of the public from those previously considered and evaluated in connection with the previously approved operation of the facility.

In accordance with the Commission's rules of practice (10 CFR Part 2), the Commission will direct the holding of a formal hearing on the matter of issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within 30 days after the issuance of the license amendment. For further details see (a) the application for license amendment by Westinghouse Electric Corporation, and (b) a hazards analysis of the experiments prepared by the Hazards Evaluation Branch, Division of Licensing and Regulation, all on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (b) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 10th day of July 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[License No. CX-6, Amdt. 7]

In addition to the activities previously authorized by the Commission under License No. CX-6, as amended, the Westinghouse Electric Corporation (hereinafter referred to as the "the licensee") is authorized to perform the "Loose Lattice Critical Experiments" described in its application for amendment dated May 22, 1959, in the Westinghouse Reactor Evaluation Center CRX facility in accordance with the procedures and subject to the limitations stated or incorporated therein.

In performing these experiments the licensee shall comply with the conditions and requirements contained in paragraph 4. of License No. CX-6, as amended.

This amendment is effective as of the date of issuance.

Date of issuance: July 10, 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 59-5880; Filed, July 16, 1959; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-15136, G-16587]

A. R. KELLY AND FRANK F. MORRISON

Notice of Applications and Date of Hearing

JULY 10, 1959.

Take notice that on May 20, 1958, A. R. Kelly (Kelly) filed in Docket No. G-15136 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity to continue the service of natural gas to Hope Natural Gas Company (Hope) from the 150-acre Frank F. Morrison Lease in Grant District, Ritchie County, West Virginia, formerly rendered by Davis-Kelly Oil Company (Davis-Kelly) under a gas sales contract dated October 21, 1952, as amended, originally designated as Davis-Kelly Oil Company FPC Gas Rate Schedule No. 2, and covered by certificate authorization issued July 13, 1955, in Docket No. G-5624 (In the Matters of Penova Interests, et al., Docket Nos. G-4091, et al.).

Concurrently with the filing of the foregoing application, Kelly submitted evidence of his succession to the Davis-Kelly interest in the Morrison Lease and the basic contract with Hope, which latter was accordingly redesignated A. R. Kelly FPC Gas Rate Schedule No. 1.

By instrument of assignment dated August 2, 1958, Kelly and wife assigned their seven-eighths working interest in the subject lease, wells and equipment thereon to Frank F. Morrison (Morrison).

On October 14, 1958, Morrison filed in Docket No. G-16587 an application for a certificate of public convenience and necessity to continue service to Hope previously rendered by Kelly, and also filed the aforementioned instrument of assignment from Kelly and wife, and a notice of succession to A. R. Kelly FPC Gas Rate Schedule No. 1. This latter rate schedule has accordingly been redesignated Frank F. Morrison FPC Gas Rate Schedule No. 1, and the instrument of assignment designated as Supplement No. 2 thereto.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on August 18, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 7, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-5882; Filed, July 16, 1959; 8:46 a.m.]

[Docket Nos. G-9892 etc.]

SOUTH GEORGIA NATURAL GAS CO. ET AL.

Order Fixing Date for Oral Argument

JULY 10, 1959.

In the matters of South Georgia Natural Gas Company, Docket No. G-9892; Southern Natural Gas Company, Docket No. G-14587; Secure Trusts, Docket No. G-14903; Estate of Lyda Bunker Hunt, Deceased, Docket No. G-14904; H. L. Hunt, Docket No. G-14905; The Texas Company, Docket No. G-15038; Olin Gas Transmission Corporation, Docket No. G-15110; Earl G. Bateman d/b/a Bateman Drilling Company, Operator, et al., Docket No. G-15141; Hunt Oil Company, Operator, Docket No. G-15146; The California Company, Docket No. G-16680; Placid Oil Company, Docket No. G-17746; Gulf Oil Corporation, Docket No. G-17760.

Exceptions have been filed to the initial decision of the Presiding Examiner issued on June 11, 1959 in the above-captioned consolidated proceedings and it is appropriate that oral argument be held thereon.

The Commission orders:

(A) Oral argument be had before the Commission on July 28, 1959 at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by the exceptions to the aforesaid decision.

(B) Parties to these proceedings intending to participate in the oral argument shall notify the Secretary of the Commission in writing on or before July 20, 1959 of such intention and of the length of time requested for presentation of their arguments.

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-5883; Filed, July 16, 1959; 8:46 a.m.]

[Docket Nos. G-14871, etc.]

TRANSWESTERN PIPELINE CO. ET AL.

Order Extending Time for Filing Exceptions and Fixing Date for Oral Argument

JULY 10, 1959.

In the matters of Transwestern Pipeline Company, Docket No. G-14871; Gulf Oil Corporation, Docket Nos. G-14925, G-14940, G-14950, G-16139, G-16141, G-16218; Pure Oil Company, Docket No. G-15040; Monsanto Chemical Company, Docket No. G-15318; Pan American Petroleum Corporation, Docket No. G-15389; Humble Oil Refining Company, Docket No. G-15714; Sun Oil Company, Docket No. G-15791; Union Oil Company of California, Docket No. G-15810; Warren Petroleum Company, Docket Nos. G-16030, G-16031; British American Oil Producing Company, Docket Nos. G-16091, G-16093, G-16103; Curtis R. Inman, Docket No. G-16106; Richardson & Bass, et al., Docket No. G-16137; G. H. Vaughn, Jr., et. al., Docket No. G-16195; Cities Service Gas Company, Docket No. G-16216; Superior Oil Company, Docket No. G-16261; Magnolia Petroleum Company, Docket Nos. G-16367, G-16368, G-16432; Hunt Oil Company, Docket No. G-16445.

On April 28, 1959, the Commission ordered that any exceptions to the Presiding Examiner's decision in these proceedings should be filed within ten days after such decision is issued, and provided that oral argument shall follow at the earliest possible date thereafter on a date to be fixed by notice of the Secretary of the Commission.

On July 1, 1959, the Presiding Examiner issued his decision. The Secretary of the Commission, by notice issued July 1, 1959, advised all parties that exceptions, if any, should be filed on or before July 13, 1959. The date for oral argument was fixed as July 14, 1959.

On July 2, 1959, the Public Utilities Commission of the State of California requested 20 days additional time in order to prepare and file exceptions and prepare for oral argument. Transwestern Pipeline Company has opposed the request of the Public Utilities Commission of California for such an extension of time.

Upon consideration of the request filed by the Public Utilities Commission of the State of California and the allegations contained therein and the response of Transwestern Pipeline Company thereto, it appears reasonable to grant additional time for the filing of exceptions and to fix the date thereafter for oral argument before the Commission.

The Commission finds: It is in the public interest that the Public Utilities Commission of the State of California should be afforded additional time in order to properly prepare and file its exceptions to the Presiding Examiners decision as well as to prepare for oral argument.

The Commission orders:

(A) The date for filing exceptions, if any, to the Presiding Examiner's decision in the above-entitled proceedings shall be and hereby is extended to July 21, 1959.

(B) Oral argument before the Commission be held on July 23, 1959.

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-5884; Filed, July 16, 1959; 8:46 a.m.]

[Docket Nos. G-14892; G-16789]

UNITED STATES SMELTING, REFINING AND MINING CO. AND NATIONAL ASSOCIATED PETROLEUM CO.

Notice of Applications and Date of Hearing

JULY 10, 1959.

Take notice that United States Smelting Refining and Mining Company (Smelting) and National Associated Petroleum Company (National), hereinafter referred to collectively as Applicants, filed applications on April 15, 1958, and October 27, 1958, in Docket Nos. G-14892 and G-16789, respectively, for certificates of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act, authorizing the sale of natural gas in interstate commerce, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

Applicants propose to sell natural gas to El Paso Natural Gas Company (El Paso) from certain Southern Ute Tribal Oil and Gas Leases in the Ignacio Field, La Plata County, Colorado. Said sales will be made by Smelting and National pursuant to an amendatory agreement dated October 1, 1956, which adds additional acreage to a 20-year basic gas sales contract dated January 18, 1956 (Smelting is the only signatory seller party to said contract),[1] and two instruments of assignment, each dated February 10, 1958, wherein certain acreage previously dedicated under the aforesaid amendatory agreement is conveyed by Smelting to National.

[1] Smelting authorized to sell gas under the January 18, 1956, contract in Docket No. G-10191.

Smelting's application covers a total of 4,800 acres (covers all formations down to and including the Dakota Formation beneath 2,920 acres and formations between base of the Pictured Cliffs Formation and base of the Dakota Formation beneath 1,880 acres). However, 640 of the above-mentioned acres (formations above base of the Mesaverde Formation) have been assigned to National and are the acreages involved in National's application in Docket No. G-16789. National will own all the working interest in the assigned acreage until such time as the costs of drilling, completing, equipping and placing in operation of wells thereon have been recovered. Thereafter, a 50 percent working interest will revert to Smelting pursuant to farmout agreement dated October 23, 1957; however, National will continue to operate the wells.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 10, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C. concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings prusuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 31, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-5885; Filed, July 16, 1959; 8:46 a.m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Revocation of Delegations of Authority; Correction Notice

The listing of June 5, 1959, entitled, Revocation of Delegations of Authority (24 F.R. 4863), is hereby corrected by removal from such list of Delegation of Authority No. 318, dated January 31, 1958, to the Secretary of Health, Education, and Welfare.

Dated: July 10, 1959.

FRANKLIN FLOETE,
Administrator.

[F.R. Doc. 59-5894; Filed, July 16, 1959; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1235]

BROAD STREET INVESTING CORP.

Notice of Filing of Application for Order

JULY 10, 1959.

Notice is hereby given that Broad Street Investing Corporation ("Broad Street"), a registered open-end investment company has filed an application and an amendment thereto pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares at net asset value for substantially all of the cash and securities of B. B. Geyer Company, Inc. ("Geyer").

Broad Street, a Maryland Corporation, offers its shares to the public on a continuous basis at net asset value plus varying sales charges depending on the amount purchased. As of March 31, 1959, the net assets of Broad Street amounted to $148,075,949 and there were outstanding 11,422,786 shares of stock.

Geyer, a New York corporation, is an investment company having 12 stockholders (with 8 other persons having beneficial interests in its stock) and is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between Broad Street and Geyer substantially all of the cash and securities owned by Geyer with an adjusted total value of approximately $2,409,876 as of May 22, 1959, but giving effect to certain transactions completed after that date, will be transferred to Broad Street in exchange for shares of its capital stock. The number of shares of Broad Street to be delivered to Geyer will be determined by dividing the aggregate market value of the assets of Geyer to be transferred to Broad Street by the net asset value per share of Broad Street, both to be determined as of the closing time under the agreement. When acquired by Geyer the shares of Broad Street are to be distributed to shareholders of Geyer in liquidation of that company. Broad Street has been informed that the Geyer shareholders intended to hold the shares thus acquired for investment.

The value of the assets of Geyer will be calculated in substantially the same manner as used for calculating net asset value for the purpose of issuance of Broad Street's shares. The agreement is conditioned upon Geyer's receiving a ruling from the Internal Revenue Service that no gain or loss will be recognized to either Broad Street or Geyer as a result of the exchange, and the basis to Broad Street of the assets acquired from Geyer will be the same as the basis of the assets in the hands of Geyer immediately prior to the exchange. As of May 22, 1959 the net unrealized appreciation of Geyer's securities which are to be taken over at the closing amount to approximately $311,676 or about 14.2 percent of the value of the entire portfolio, as compared with the net unrealized appreciation of $57,419,158 on that date of the securities held by Broad Street, or approximately 37 percet of the value of its portfolio. Broad Street states in its application that substantially all of the securities obtained in the exchange are consistent with its investment policy. The agreement between Broad Street and Geyer provides that the latter's President, within five days after the exchange, will purchase from Broad Street the shares of a company affiliated with Geyer, at the same price at which Broad Street acquired them, or approximately $91,000.

The application recites that no affiliation exists between Geyer or its officers, directors or stockholders and Broad Street, its officers or directors, and the agreements were negotiated at arms length by executive officers of the two companies. The Board of Directors of Broad Street approved the acquisition as being in the best interests of its share holders, taking all relevant considerations into account, including the following factors:

(a) The favorable difference in percentage of unrealized appreciation between the two portfolios.

(b) The fact that the resulting increase in assets will tend to reduce per share expenses due to the fact that Broad Street is furnished investment research and administrative facilities and services at cost under its arrangement with three other investment companies for the joint ownership and operation of Union Service Corporation.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the agreement, however, the shares of Broad Street are to be issued to Geyer at a price other than the public offering price stated in the prospectus, which lists a sales charge of 2.22 percent for sales of $250,000 or over.

Section 6(c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protec-

tion of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 24, 1959, at 5:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D.C. At any time after said date, the application may be granted as provided in Rule O-5 of the rules and regulations promulgated under the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 59-5890; Filed, July 16, 1959; 8:46 a.m.]

[File No. 7-2003]

VANADIUM-ALLOYS STEEL CO.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

JULY 13, 1959.

In the matter of application by the Pittsburgh Stock Exchange for unlisted trading privileges in Vanadium-Alloys Steel Company, Capital Stock.

The above named stock exchange, pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before July 27, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 59-5891; Filed, July 16, 1959; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

National Park Service

[Region 3 Order 3, Amdt. 4]

SUPERINTENDENTS, REGIONAL ADMINISTRATIVE OFFICER AND REGIONAL PROCUREMENT AND PROPERTY OFFICER, REGION 3

Delegations of Authority With Respect to Appointments, Status Changes and To Execute and Approve Certain Contracts

MAY 22, 1959.

Section 1 and paragraphs (a), (b), and (c) of section 1; section 2 and paragraphs (a), (b), (c) and (e) of section 2; paragraphs (b) and (c) of section 3; section 4; and section 5 of Order No. 3, issued February 17, 1956 (21 F.R. 1494), are amended to read as follows:

SECTION 1. The National Park Service Superintendents in Region Three whose positions are allocated to Civil Service grades GS-14 and above, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Appointments and status changes involving personnel in GS-14 and higher grades; however, appointments and status changes involving grade GS-13 must be submitted to the Region Three Office for review before being finalized.

(b) Classification of positions in any Civil Service or supervisory wage board grades.

(c) Establishment of permanent graded or ungraded positions.

SEC. 2. The Superintendents whose positions are allocated to Civil Service grades GS-11, GS-12, and GS-13, inclusive, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Appointments and status changes involving personnel in the same Civil Service grade as, or higher grades than, the Superintendent making appointments or status changes.

(b) Classification of positions in any Civil Service or supervisory wage board grades.

(c) Establishment of permanent graded or ungraded positions.

(e) Approval of contracts for construction, supplies, or services in excess of $50,000 by the Superintendents whose positions are allocated to Civil Service grades GS-11 and GS-12.

SEC. 3. * * *

(b) Classification of positions in any Civil Service or supervisory wage board grades.

(c) Establishment of permanent graded or ungraded positions.

SEC. 4. *Regional Administrative Officer.* The Regional Administrative Officer may execute and approve contracts not in excess of $100,000 for construction, supplies, equipment, and services. This authority may be exercised by the Regional Administrative Officer in behalf of any office or area for which the Region Three Office serves as the field finance office.

SEC. 5. *Regional Procurement and Property Officer.* The Regional Procurement and Property Officer may execute and approve contracts not in excess of $50,000 for construction, supplies, equipment, and services. This authority may be exercised by the Regional Procurement and Property Officer in behalf of any office or area for which the Region Three Office serves as the field finance office.

(National Park Service Order No. 14; 39 Stat. 535; 16 U.S.C., 1952 ed., sec. 2)

HUGH M. MILLER, *Regional Director.*

[F.R. Doc. 59-5888; Filed, July 16, 1959; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

REQUIREMENTS RELATING TO BRINGING IN OR IMPORTING SUGAR OR LIQUID SUGAR INTO CONTINENTAL UNITED STATES

Notice of Requirement for Prior Authorization

1959 SUGAR QUOTA FOR CUBA—DIRECT-CONSUMPTION PORTION

Pursuant to § 817.5 (23 F.R. 671) notice is hereby given that the direct-consumption portion of the 1959 sugar quota for Cuba, amounting to 375,000 short tons of sugar, raw value, has been filled to the extent of 80 per centum or more. Accordingly, pursuant to § 817.5 (23 F.R. 671), after the close of business on July 16, 1959, and for the remainder of the calendar year 1959, Collectors of Customs shall not release for entry into the continental United States from Cuba any direct-consumption sugar unless and until the authorization as prescribed in § 817.6 (23 F.R. 671) is issued.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Sup. 1153; 7 CFR 817.12)

Issued this 14th day of July 1959.

LAWRENCE MYERS, *Director, Sugar Division, Commodity Stabilization Service.*

[F.R. Doc. 59-5899; Filed, July 16, 1959; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 152]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 14, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Com-

merce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 35337. By order of June 29, 1959, the Transfer Board approved the lease to Ft. Hood Warehouse Co., a corporation of Waco, Texas, the operating rights set forth in Certificate No. MC 61518, acquired by lessor, Acme Safeway Van & Storage Co., a corporation, of Houston, Texas, pursuant to No. MC–FC 61743 and assigned No. MC 60158 Sub 2, authorizing the transportation of household goods, over irregular routes, between points in Texas, excluding Houston, Texas and a 50 mile radius of Houston (but not excluding Galveston, Texas), on the one hand, and, on the other, points in Oklahoma, and between Dallas, Texas, on the one hand, and, on the other, points in Texas, excluding Houston, Texas and a 50 mile radius of Houston, but not excluding Galveston, Texas. H. H. Prewett, 2101 Tennessee Building, Houston 2, Texas, for applicants.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59-5889; Filed, July 16, 1959; 8:46 a.m.]

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